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## **OLR Bill Analysis**

### **HB 6340**

#### ***AN ACT CONCERNING THE PLACEMENT OF CHILDREN IN OUT-OF-STATE TREATMENT FACILITIES.***

##### **SUMMARY:**

This bill requires, with certain exceptions, the Department of Children and Families (DCF) commissioner to return to a family or facility in Connecticut, by July 1, 2013, the children and youth in the department's care located in out-of-state treatment facilities. The requirement applies unless the commissioner determines that an out-of-state placement is necessary for specified reasons. By January 1, 2013, the commissioner must develop a plan for funding appropriate community-based and residential services for the children returning from out-of-state facilities by reallocating existing appropriations and using federal or private funding.

Beginning July 1, 2013, the commissioner must submit any decision to place a child in an out-of-state facility to the Superior Court for Juvenile Matters for a determination on the placement. The court must decide whether out-of-state placement is necessary for the same specified reasons. The bill requires the commissioner to report to the court every three months on each child's status and plan for return.

The bill adds racial data to the information DCF must include in its annual report on at-risk children starting in 2012.

**EFFECTIVE DATE:** Upon passage, except for the provision on the annual report, which is effective October 1, 2011.

##### **OUT-OF-STATE PLACEMENT**

###### ***Process***

The bill requires the DCF commissioner to return, by July 1, 2013, from out-of-state treatment facilities all children in the department's

care and custody unless she has determined the child needs the out-of-state placement because (1) the child has a behavioral health condition that requires specialized treatment that is not effectively provided in Connecticut or (2) the out-of-state facility is located within geographic proximity to the child's family that will facilitate their involvement in his or her treatment. Starting July 1, 2013, the Juvenile Court must make the determination on an out-of-state placement based on the same criteria, upon the required submission of a DCF motion for review.

If the court determines that a child should be placed in an out-of-state treatment facility, the bill requires DCF to report to the court every three months on the child's status and the department's plan to return the child to a family or facility in the state.

### ***Transition***

The bill requires the DCF commissioner to develop a plan to (1) reallocate the department's appropriated funds and (2) maximize federal and private funding to increase the appropriate, in-state, community-based and residential services for children returning from out-of-state treatment facilities. She must consult with the Court Support Services Division, in-state and out-of-state providers, child welfare and mental health advocates, and family consumers of child welfare and mental health services. By January 1, 2013, she must submit this report to the Human Services and Children's committees.

### **ANNUAL REPORT**

The bill requires DCF to include racial data, by May 1, 2012, for the criteria in the annual report (required by PA 09-96) on the cases of all children and youth in its care during the previous calendar year. Currently, the department reports the number and age of those:

1. living in a psychiatric hospital or out-of-state treatment center,
2. who have run away or are homeless,
3. who have a permanency plan of "another planned permanency living arrangement," or

4. who have refused DCF services.

The report goes to the Human Services and Children's committees.

## **BACKGROUND**

### ***Out-of-State Placements***

According to DCF, as of February 1, 2011, 357 children in its care were in out-of-state residential treatment facilities.

## **COMMITTEE ACTION**

Select Committee on Children

Joint Favorable Change of Reference

Yea 12 Nay 0 (03/03/2011)

Human Services Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/22/2011)